

**ORDINANCE NO. 2018-25**

**(Sewage Collection and Disposal)**

The Contra Costa County Board of Supervisors ordains as follows:

**SECTION I. SUMMARY.** This ordinance amends Chapter 420-6 of the County Ordinance Code by establishing new requirements and prohibitions pertaining to sanitary sewer connections, onsite wastewater treatment systems and other methods of sewage disposal.

**SECTION II. AUTHORITY.** This ordinance is adopted pursuant to Article 11, section 7 of the California Constitution.

**SECTION III.** Chapter 420-6 of the County Ordinance Code is amended to read:

**Chapter 420-6**

**SEWAGE COLLECTION AND DISPOSAL**

**Article 420-6.2. General Provisions**

**420-6.202 Purpose.**

The purpose of this chapter is to provide maximum protection to water quality and public health by establishing requirements for connection to sanitary sewers and minimum standards for the design, construction, operation and abandonment of sewage collection and disposal systems. (Ord. 2018-25 § 3).

**420-6.204 Definitions.**

Unless otherwise specially provided, or required by the context, the following terms have these meanings in this chapter.

(a) “Abandon” means to remove liquid waste from and either excavate or otherwise render inoperable a cesspool, privy, sewage holding tank, or tank utilized in an onsite wastewater treatment system.

(b) “Alternative onsite wastewater treatment system” means an onsite wastewater treatment system in which septic tank effluent undergoes supplemental treatment prior to discharge to a disposal field.

(c) “Approved sewage disposal system” means a system of sewage disposal constructed in conformance with any and all applicable design, construction, permitting and other legal requirements in force at the time of construction.

(d) “Construct” means to assemble, build, fabricate or install.

(e) “Designated disposal field area” means an area of land that is approved by the health officer based on a site evaluation for future use as a disposal field or in an onsite wastewater treatment system, but is not a reserve area.

(f) “Domestic water supply reservoir” means an existing or proposed open uncovered reservoir used or intended to impound water for human consumption or domestic purposes.

“Domestic water supply reservoir” includes a planned reservoir where the water impounder states in writing to the board its intent to install or construct the reservoir, and satisfies the board that it has appropriate rights in the land and the ability to finish and maintain the reservoir.

(g) “Drainage area” of a domestic water supply reservoir means all the land that can drain into the reservoir, whether or not the topographical configuration is artificially or naturally caused.

(h) “Health officer” means the county health officer and his or her duly authorized deputies and subordinates.

(i) “Improperly functioning,” as applied to a sewage collection or disposal system, means allowing sewage to escape to the surface of the ground, allowing sewage to return to the structure served by the system, allowing leaks, or preventing fixtures from draining.

(j) “Onsite wastewater treatment system” means a sewage treatment and disposal system that includes a septic tank and disposal field, serves one or more structures on only one lot, and is projected to receive a sewage flow of 10,000 gallons or less per day.

(k) “Pit privy” means a structure with no water supply that consists of shelter built over a pit with an unlined bottom and is used for the disposal of human waste.

(l) “Plumbing fixture” means a receptacle, device, appliance or other fixture that discharges wastewater to a drainage system.

(m) “Primary components” of an onsite wastewater treatment system means the septic tank, area(s) of land used for one or more disposal fields, pump tank and supplemental treatment unit, if any.

(n) “Reserve area” means an area of land that is approved by the health officer for future use as a replacement disposal field in an onsite wastewater treatment system.

(o) “Sanitary sewer” means a wastewater collection system, owned and operated by a public agency with legal authority to collect wastewater from structures within the territorial jurisdiction of the public agency, that collects wastewater and conveys it through a system of sewer pipes to a treatment works prior to disposal.

(p) “Septic tank-chemical toilet cleaner” means (1) a person engaged in the business of cleaning, or who cleans, septic tanks, sewage holding tanks, onsite wastewater treatment systems, privies, cesspools or seepage pits, or (2) a person engaged in the business of providing or cleaning, or who provides or cleans, chemical toilets.

(q) “Sewage” means liquid waste that contains or may be contaminated with human or animal excrement or offal.

(r) “Sewage disposal system” means any system of sewage disposal, including but not limited to an onsite wastewater treatment system, that is designed to serve one or more structures.

(s) “Sewage regulations” means sewage collection and disposal regulations adopted by the board under Section 420-6.606.

(t) “Vault privy” means a structure with no water supply that consists of a shelter built over a subsurface vault and is used for the collection of human waste.

(u) “Wastewater” means liquid waste, including but not limited to sewage. (Ords. 2018-25 § 3, 81-30 § 1, 74-67 § 3, 68-16 § 2, Ord. 1440 § 1).

## **Article 420-6.4. Sewer Connection**

### **420-6.402 Sewer availability.**

A sanitary sewer is considered available for connection to a structure requiring sewage disposal if:

- (a) The entity operating the sanitary sewer indicates in writing that the proposed structure can be connected to the sanitary sewer;
- (b) The sanitary sewer is in a thoroughfare or right of way abutting the lot or premises where the structure is located or proposed to be located; and
- (c) The sanitary sewer or any building or exterior drainage facility connected thereto is located within 200 feet of the structure. (Ords. 2018-25 § 3, 81-30 § 1, 74-67 § 3, 1440 § 1).

### **420-6.404 Sewer connection required; exceptions.**

Every structure in which plumbing fixtures have been or are proposed to be installed, and all plumbing fixtures and sanitary drainage systems or parts thereof, must be connected to either a sanitary sewer or an alternative means of sewage collection or disposal in accordance with Subsections (a) or (b) of this section.

(a) Approved sewage disposal system.

(1) A structure may be connected to an approved sewage disposal system if the health officer determines that a sanitary sewer is not available for connection under Section 420-6.402.

(2) A structure connected to an approved sewage disposal system prior to the effective date of this section may remain connected to that system.

(3) An addition to or remodeled portion of a structure may be connected to an approved sewage disposal system in accordance with applicable standards set forth in the sewage regulations if the structure is served by and was connected to the system before a sanitary sewer became available for connection to the structure, except as otherwise provided in Section 420-6.602 or Chapter 78-2.

(b) Sewage holding tank system.

(1) General. A structure that contains plumbing fixtures may be connected to a sewage holding tank system for sewage collection if:

(A) The health officer determines that a sanitary sewer is not available for connection under Section 420-6.402;

(B) The sewage holding tank system will replace an approved sewage disposal system that is or has been serving the structure;

(C) The owner of the structure obtains a sewage holding tank permit under Section 420-6.1002; and

(D) One of the following applies:

(i) The sewage holding tank system will serve the structure only until replacement of the approved sewage disposal system with a new onsite wastewater treatment system; or

(ii) The approved sewage disposal system to be replaced is improperly functioning and the health officer has determined that there is no suitable area on the lot where the structure is located for an onsite wastewater treatment system.

(2) Public agencies. A structure that contains plumbing fixtures and is owned by a public agency may be connected to a sewage holding tank system for sewage collection if:

(A) The health officer determines that a sanitary sewer is not available for connection under Section 420-6.402;

(B) The structure cannot be connected to a new onsite wastewater treatment system in accordance with applicable laws and regulations;

(C) The sewage holding tank system is owned and operated by the public agency; and

(D) The public agency obtains a sewage holding tank permit under Section 420-6.1002.

(3) Temporary structures. A temporary structure that contains plumbing fixtures may be connected to a sewage holding tank system if the system was incorporated into the original design of the temporary structure. As used in this subsection, “temporary structure” means a structure that is placed at the site of a permitted construction project for use only during the project and then removed at the conclusion of the project. (Ords. 2018-25 § 3, 81-30 § 1).

## **Article 420-6.6. Enforcement**

### **420-6.602 Prohibitions.**

A person may not do any of the following:

(a) Build a structure that will contain plumbing fixtures without first lawfully connecting the lot where the structure will be located to a sanitary sewer or having an approved sewage disposal system that is designed to and may lawfully serve the structure.

(b) Remodel any portion of, or construct an addition to, a structure containing plumbing fixtures without first lawfully connecting the structure to a sanitary sewer or an approved sewage disposal system that is designed to serve the structure.

(c) Construct, modify in any way, relocate any part of, or take any action to connect a structure to, a sewage disposal system that is not an onsite wastewater treatment system.

(d) Discharge or deposit sewage to the surface of the ground.

(e) Have, use or operate an improperly functioning sewage collection or disposal system.

(f) Use a sewage disposal system that is not an approved sewage disposal system.

(g) Construct or have a privy except as expressly authorized by law. (Ords. 2018-25 § 3, 81-30 § 1, 1440 § 2, 640 §§ III-1, III-3, V-2).

### **420-6.604 Building permits; certificates of occupancy.**

(a) Restriction on issuance of building permits.

(1) If a structure is, or is proposed to be, located outside the territorial boundaries of any public entity with legal authority to provide wastewater collection services, or in an area where connection to a sanitary sewer is otherwise not available to the structure, and plumbing fixtures have been or are proposed to be installed in the structure, a building permit will not be issued to build, remodel any portion of, or construct an addition to the structure unless the health officer has approved, in writing, a method of sewage collection or disposal for the structure.

(2) If a structure is, or is proposed to be, located in an area where connection to a sanitary sewer is available to the structure, plumbing fixtures have been or are proposed to be installed in the structure, and connection to a sanitary sewer is not proposed, a building permit will not be issued to build, remodel any portion of, or construct an addition to, the structure unless the health officer has approved, in writing, a method of sewage collection or disposal for the structure.

(3) A building permit will not be issued to build a structure located on a lot where an approved sewage disposal system, reserve area or designated disposal field area is located unless the health officer has approved, in writing, the proposed location of the structure.

(b) Restriction on issuance of certificates of occupancy.

(1) If a structure is located outside the territorial boundaries of any public entity with legal authority to provide wastewater collection services, or in an area where connection to a sanitary sewer is otherwise not available to the structure, and plumbing fixtures have been installed in the structure, a certificate of occupancy will not be issued to use or occupy the structure, or portion of the structure, unless the health officer has approved, in writing, a method of sewage collection or disposal for the structure.

(2) If a structure is located in an area where connection to a sanitary sewer is available to the structure, plumbing fixtures have been installed in the structure, and connection to a sanitary sewer is not proposed, a certificate of occupancy will not be issued to use or occupy the structure, or portion of the structure, unless the health officer has approved, in writing, a method of sewage collection or disposal for the structure.

(c) Application to health officer.

(1) A building permit applicant who proposes to build, remodel, or construct an addition to a structure described in Subsection (a)(1) of this section must submit a written application to the health officer for review and approval of a proposed method of sewage collection or disposal for the structure.

(2) A building permit applicant who proposes to build, remodel, or construct an addition to a structure described in Subsection (a)(2) of this section must submit a written application to the health officer for review and approval of the proposed method of sewage collection or disposal for the structure if the applicant does not propose to connect the structure to a sanitary sewer.

(3) A building permit applicant who proposes to build a structure in a location described in Subsection (a)(3) of this section must submit an application to the health officer for review and approval of the proposed location of the structure.

(4) An applicant for a certificate of occupancy of a structure described in Subsection (b)(1) of this section must submit a written application to the health officer for review of the proposed method of sewage collection or disposal for the structure.

(5) An applicant for a certificate of occupancy of a structure described in Subsection (b)(2) of this section must submit a written application to the health officer for review of the proposed sewage collection or disposal method for the structure if the applicant does not propose to connect the structure to a sanitary sewer.

(d) Determination.

(1) If the health officer finds, based on his or her review of an application submitted under Subsection (c)(1) or (c)(2) of this section, that a proposed method of sewage collection or disposal conforms to the applicable requirements in this chapter and the sewage regulations, the health officer will approve the proposed method of sewage collection or disposal. The health officer will not approve the proposed method of sewage collection or disposal, and the building inspection director will not issue the building permit, if the health officer finds that the proposed method of sewage collection or disposal does not conform to a provision of this chapter or the sewage regulations.

(2) If the health officer finds, based on his or her review of an application submitted under Subsection (c)(3) of this section, that construction of a proposed structure will not interfere with the use of a necessary approved sewage disposal system, reserve area or designated disposal field area, the health officer will approve the proposed location of the structure. The health officer will not approve the proposed location of the structure, and the building inspection director will not issue the building permit, if the health officer determines that construction of the structure would interfere with the use of a necessary approved sewage disposal system, reserve area or designated disposal field area.

(3) If the health officer finds, based on his or her review of an application submitted under Subsection (c)(4) or (c)(5) of this section, that a proposed method of sewage collection or disposal conforms to the applicable requirements in this chapter and the sewage regulations, the health officer will approve the proposed method of sewage collection or disposal. The health officer will not approve the proposed method of sewage collection or disposal, and the building inspection director will not issue the certificate of occupancy, if the health officer finds that the proposed method of sewage collection or disposal does not conform to a provision of this chapter or the sewage regulations. (Ords. 2018-25 § 3, 81-30 § 1, 1752 § 4, 1440 §§ 4, 9, 640 §§ II-7, III-6).

**420-6.606 Regulations.**

The health officer may propose regulations to make more detailed or specific the provisions of this chapter. The regulations are not effective unless adopted by the board by resolution. The health officer is responsible for the enforcement of this chapter and all adopted regulations. (Ords. 2018-25 § 3, 81-30 § 1, 640 § 1).

**420-6.608 Investigations.**

To the extent allowed by law, whenever necessary to enforce any provision of this chapter, the health officer may inspect any property to determine compliance with applicable provisions and requirements of this chapter or enter for the purpose of abatement as provided in Chapter 14-6 of this code. Entry may be made at any reasonable time upon advance notice to the owner or occupant of the property. If entry is refused, the health officer is authorized to proceed pursuant to Code of Civil Procedure section 1822.50 and following, and pursue any and all other remedies provided by law, to secure entry. (Ords. 2018-25 § 3, 81-30 § 1, 74-67 § 2, 1440 § 7).

**420-6.610 Nuisance abatement.**

(a) Abatement. Any installation made or condition existing in violation of this chapter is declared to be a public nuisance, and in addition to any other remedy available under the law, may be abated pursuant to Article 14-6.4.

(b) Emergency Abatement. If the health officer finds that a violation has created an emergency condition endangering the public health, the health officer may summarily abate the condition in accordance with Article 14-6.4. (Ords. 2018-25 § 3, 88-88 § 10, 81-30 § 1).

## **Article 420-6.8. Sewage Disposal Systems**

### **420-6.802 Site.**

An onsite wastewater treatment system may be constructed only on a site that conforms to applicable setbacks and groundwater depth, ground slope, soil depth and percolation rate standards specified in the sewage regulations. (Ord. 2018-25 § 3).

### **420-6.804 Design.**

(a) Sewage flow. An onsite wastewater treatment system must be sized to accommodate the maximum volume of sewage that the system is projected to receive in a 24-hour period.

(b) Components. The septic tank, transport lines, pump tank, disposal field and any supplemental treatment unit in an onsite wastewater treatment system constructed under Subsection 420-6.404(a)(1), and the reserve area for the system, must conform to all applicable design standards set forth in the sewage regulations. (Ord. 2018-25 § 3.)

### **420-6.806 Construction permits.**

(a) The construction, alteration, relocation or replacement of an onsite wastewater treatment system, or any primary components thereof, may be lawfully performed only under a valid construction permit issued by the health officer. "Alteration," as used in this section, means a change that causes an onsite wastewater treatment system, or primary component thereof, to function in a manner that is inconsistent with the design approved by the health officer, including but not limited to a change in design daily sewage flow and the installation of supplemental treatment units.

(b) The construction, alteration, relocation or replacement of an onsite wastewater treatment system, or any primary components thereof, may be lawfully performed only if the health officer has determined that a sanitary sewer is not available for connection to the structure to be served by the system.

(c) All work on an onsite wastewater treatment system under a construction permit issued under Section 420-6.808 must be inspected and approved by the health officer prior to use of the onsite wastewater treatment system. (Ord. 2018-25 § 3).

### **420-6.808 Permit procedure.**

(a) Application; issuance. An application for a construction permit required under Section 420-6.806 or 420-6.1004 must be submitted to the health officer. The health officer will accept an application for a construction permit only if the application is complete and accompanied by payment of a permit fee established by the board by resolution. The health officer will approve a permit application and issue a permit based solely on compliance with this chapter and the sewage regulations.

(b) Expiration. Every construction permit issued by the health officer under this chapter becomes void if the work authorized by the construction permit is not commenced within 180 days from the permit's date, or if the work is suspended or abandoned for 180 days without excuse satisfying the health officer as being beyond control of and remedy by the permittee. Work under a construction permit will be deemed to have commenced if at least one health officer inspection of construction has been completed within 180 days of the permit issuance.

date. Once a construction permit becomes void, a new construction permit must be obtained before any work is commenced or recommenced, and a new permit fee must be paid.

(c) Renewal. Any permittee holding an unexpired construction permit may apply to the health officer for a permit extension upon a showing of good and satisfactory reason acceptable to the health officer. If the permittee is unable to commence work within the time required by this section, the health officer may extend the time of the permit for a period not exceeding 180 days upon written request by the permittee. No permit may be renewed more than once.

(d) Permit not approval of violations. The issuance of a construction permit under this chapter will not be construed as a permit for an approval of any violation of this chapter or code or determination that the permittee is the owner of the subject property or otherwise authorized to do the work for which the permit has been issued. No construction permit presuming to give authority to violate or cancel the provisions of this chapter will be valid except insofar as the work that it authorizes is lawful. The issuance of a construction permit based on plans and specifications does not prevent the health officer from later requiring the correction of errors in the plans and specifications or from preventing work under the permit in violation of this chapter. (Ords. 2018-25 § 3, 81-30 § 1, 1752 § 3, 1468 § 1, 1440 § 7).

#### **420-6.810 Alternative onsite wastewater treatment systems.**

(a) Mandatory use. Septic tank effluent must undergo supplemental treatment in an onsite wastewater treatment system if:

- (1) The system utilizes a drip dispersal system;
- (2) The system is located in an area where the depth from the natural grade to the anticipated highest seasonal level of groundwater is less than 3 feet;
- (3) The system will receive high strength wastewater; or
- (4) The system will replace another onsite wastewater treatment system and cannot meet the required horizontal setback from a public water well or a public water system's surface water intake point, unless the health officer makes both of the following two findings:

(A) There is no indication that the system to be replaced is adversely affecting the public water source; and

(B) There is limited potential that the replacement system could impact the public water source.

(b) Monitoring.

(1) The owner of an alternative onsite wastewater treatment system shall monitor the operation of the system for as long as the system remains in use, in accordance with the sewage regulations.

(2) A person may not use or operate an alternative onsite wastewater treatment system if the owner of that system fails to monitor that system in accordance with the sewage regulations.

(c) Mitigation measures.

(1) The owner of a replacement alternative onsite wastewater treatment system that does not conform to applicable horizontal setbacks from a public water well or a public water system's surface water intake point must comply with applicable mitigation measures set forth in the sewage regulations unless the health officer makes the findings set forth in Subsections (a)(4)(A) and (a)(4)(B) of this section.



(2) A person may not use or operate a replacement onsite wastewater treatment system described in Subsection (c)(1) of this section if the owner fails to comply with any applicable mitigation measure. (Ords. 2018-25 § 3, 2000-03 § 1, 81-30 § 1).

### **Article 420-6.10. Sewage Collection Systems**

#### **420-6.1002 Sewage holding tank systems.**

(a) Site; design. The site and design of a sewage holding tank system under Subsection 420-6.404(b)(1) or Subsection 420-6.404(b)(2) must conform to applicable horizontal setbacks and other standards set forth in the sewage regulations.

(b) Permits. The installation of a sewage holding tank system may be lawfully performed only under a valid sewage holding tank permit issued by the health officer. The permit procedures set forth in Section 420-6.808 apply to sewage holding tank permits.

(c) Health officer approval. All work under a sewage holding tank permit must be approved by the health officer prior to use of the sewage holding tank system.

(d) Termination of use.

(1) Use of a sewage holding tank system connected to a structure under Subsection 420-6.404(b)(1)(D)(i) must terminate upon completion of construction of a new onsite wastewater treatment system that will serve the structure or within 90 calendar days after commencement of use of the sewage holding tank system, whichever occurs first.

(2) Use of a sewage holding tank system connected to a structure under Subsection 420-6.404(b)(1)(D)(ii) or Subsection 6.404(b)(2) must terminate within 90 calendar days after the health officer determines that connection to a sanitary sewer is available to the structure. (Ord. 2018-25 § 3.)

#### **420-6.1004 Vault privies.**

(a) A privy vault must be prefabricated and certified by the manufacturer as watertight.

(b) A vault privy may be constructed only on a site that conforms to the horizontal setbacks applicable to septic tanks.

(c) A vault privy may be lawfully constructed only under a valid construction permit issued by the health officer in accordance with the procedures set forth in Section 420-6.808.

(d) All work under a construction permit issued under this section must be inspected and approved by the health officer prior to use of the vault privy. (Ord. 2018-25 § 3.)

### **Article 420-6.12. Abandonment**

#### **420-6.1202 Sewage disposal systems.**

(a) Onsite wastewater treatment systems and cesspools must be promptly abandoned under a permit issued by the health officer if:

(1) The system or cesspool is replaced with a connection to a sanitary sewer, a new onsite wastewater treatment system or a sewage collection system.

(2) The system or cesspool was constructed in violation of any applicable laws or regulations; or

(3) Use of the system or cesspool has ceased.

(b) Pit privies must be promptly abandoned under a permit issued by the health officer if:

- (1) The pit is filled with human waste to a point that is 24 inches or less below the surface of the ground adjacent to the pit; or
- (2) The pit privy was constructed in violation of any applicable laws or regulations. (Ord. 2018-25 § 3.)

**420-6.1204 Sewage collection systems.**

(a) A sewage holding tank system must be promptly abandoned under a permit issued by the health officer if:

- (1) The system is replaced with a connection to a sanitary sewer, an onsite wastewater treatment system or another sewage holding tank system;
- (2) The system was constructed in violation of any applicable laws or regulations; or
- (3) Use of the system has ceased.

(b) Vault privies. A vault privy must be promptly abandoned under a permit issued by the health officer if the vault privy was constructed in violation of any applicable laws or regulations. (Ord. 2018-25 § 3).

**Article 420-6.14. Septic Tank-Chemical Toilet Cleaners**

**420-6.1402 Registration.**

All septic tank-chemical toilet cleaners as defined in Subsection 420-6.204(p) are subject to the application and examination requirements set forth in Health and Safety Code sections 117415 and 117420. (Ord. 2018-25 § 3).

**420-6.1404 Operations.**

(a) Pumping and cleaning. A septic tank-chemical toilet cleaner must use all reasonable means to prevent the spillage of sewage. Any spilled sewage must immediately be removed and properly disposed of, and the area disinfected.

(b) Disposal. Sewage collected by a septic tank-chemical toilet cleaner must be disposed of only at a public facility that provides wastewater collection and treatment services.

(c) Reporting. No later than the tenth day of each month, a septic tank-chemical toilet cleaner shall submit a written report to the health officer in a form approved by the health officer that describes all pumping and cleaning operations conducted in the unincorporated area of the county in the previous month. (Ord. 2018-25 § 3).

**420-6.1406 Vehicles; other equipment.**

(a) Each vehicle utilized by a septic tank-chemical toilet cleaner in the course of collecting or transporting sewage must display a permit decal required under Section 413-3.806 and identification markings specified in the sewage regulations.

(b) All sewage collection tanks, pumps, pipes and hoses on vehicles used to collect or transport sewage must conform to all applicable design and construction standards set forth in the sewage regulations.

(c) All equipment utilized by a septic tank-chemical toilet cleaner in the course of collecting or transporting sewage must be made of durable and easily cleanable materials. (Ord. 2018-25 § 3).

**420-6.1408 Chemical toilets.**

Chemical toilets must be designed, constructed, marked and operated in accordance with applicable standards set forth in the sewage regulations. (Ord. 2018-25 § 3).

**Article 420-6.16. Subdivision Maps**

**420-6.1602 Tentative maps.**

(a) General. The tentative map forwarded to the health officer for review under Section 94-2.604 must show proposed provisions for sewage disposal, source of approved water supply, number of lots, the size of each lot, and contour lines at intervals of five feet or less.

(b) Health officer approval. The health officer will review the proposed tentative map for compliance with this chapter and the sewage regulations and in a timely manner report his or her conclusions thereon, together with any conditions recommended to insure such compliance, to the planning department. (Ords. 2018-25 § 3, 81-30 § 1, 1752 § 1, 1440 § 4, 640 § II-1).

**420-6.1604 Final maps; parcel maps.**

A final map or parcel map of a subdivision shall not be recorded unless the conditions recommended by the health officer and established by the advisory agency on approval of the tentative map of the subdivision have been satisfied. (Ords. 2018-25 § 3, 81-30 § 1, 1752 § 1, 1440 § 4, 640 § II-1).

**Article 420-6.18. Appeals**

**420-6.1802 Appeals to health officer.**

An applicant objecting to or disagreeing with a permit denial under this chapter or the sewage regulations may appeal the denial to the health officer. Any request for an appeal hearing must be in writing and must be received by the health officer within ten days after notice of the decision was mailed. Any request for an appeal hearing must state the legal and factual basis for the appeal and be accompanied by payment of a fee established by the board by resolution. A hearing on the appeal will be held within fifteen days after the request for appeal is received by the health officer. The health officer will issue a written decision supported by written findings. The decision will be based on the applicant's compliance or noncompliance with this chapter or the sewage regulations. The health officer may not delegate the duty to hear appeals under this chapter to any subordinate. (Ords. 2018-25 § 3, 93-84 § 3, 81-30 § 1).

**420-6.1804 Other appeals.**

Whenever the provisions of this chapter have been incorporated by a city ordinance or code and are applicable as city regulations within the incorporated area of that city, any appeal of a decision of the health officer must be directed to and decided by the city council of the involved city or to such other hearing body that may be designated by the city council to hear such appeals. (Ords. 2018-25 § 3, 93-84 § 3, 81-30 § 1).

**Article 420-6.20. Fees**

**420-6.2002 Permit fees.**

The health officer will collect a fee from the applicant for issuance of any permit under this chapter. Permit fees will be established by the board by resolution. (Ords. 2018-25 § 3, 81-30 § 1).

**420-6.2004 Other fees.**

(a) The health officer will collect a fee from the applicant for all services provided by the health officer in response to a request by the applicant, including plan reviews, investigations, inspections and the observation of site evaluations and tests.

(b) The health officer will collect a fee from the owner of an alternative onsite wastewater treatment system for audits of monitoring reports submitted under Section 420-6.810.

(c) All fees authorized by this section will be established by the board by resolution. (Ords. 2018-25 § 3, 81-30, § 1).

**SECTION IV. EFFECTIVE DATE.** This ordinance becomes effective 30 days after passage, and within 15 days after passage shall be published in the East Bay Times, a newspaper published in this County. This ordinance shall be published in a manner satisfying the requirements of Government Code section 25124, with the names of the supervisors voting for and against it.

PASSED on \_\_\_\_\_, by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

ATTEST: David J. Twa, Clerk of the Board  
of Supervisors and County Administrator

By: \_\_\_\_\_  
Deputy

\_\_\_\_\_  
Board Chair

LW/

[seal]

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